



Office of the Commissioner

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March 28, 2023

Chair Moller and members of the House Public Safety Committee,

I am writing today to highlight parts of HF 2890 that the Department of Public Safety supports and to draw your attention to specific parts where I hope we can work in partnership to address critical investments in the Governor and Lt. Governor's budget recommendations that are currently not included.

I am thankful this bill provides for some of the critical investment found in Governor Walz and Lt. Governor Flanagan's budget recommendations including the resources needed for the Department of Public Safety to continue work at our current service levels. I am also pleased this bill provides full funding for the following:

- Fully funding our current service levels allows the department of public safety to continue to serve Minnesotans and our communities with prevention and intervention efforts in times of crisis.
- School violence has made headline news far too often. Additionally, the national rise in "swatting" calls to our schools by foreign actors is a troubling trend and we must work to find ways to adapt. Additional school safety center staff will allow us to work directly with schools across Minnesota on the safety needs they've identified to improve their safety plan.
- The Force Investigations Unit provides a critical resource as an independent investigative body for many high-profile and challenging cases including Police Use of Deadly Force, Criminal Sexual Conduct Involving Peace Officers, Criminal Sexual Conduct Involving Minnesota National Guard Members; and Conflict of Interest Investigations. Thank you for fully funding the continuation of this specialized unit.
- Thank you for funding a new BCA State Fraud Unit providing state agencies with a resource to report suspected criminal fraud. From programs like unemployment insurance, medical assistance, COVID relief, childcare assistance, and others, the state of Minnesota distributes billions of dollars to aid communities and individuals in Minnesota. This approach will focus resources to disrupt significant fraudulent activity and hold those accountable who wish to prey upon state programs designed to assist Minnesotans in need.

Alcohol
and Gambling
Enforcement

Bureau of
Criminal
Apprehension

Driver
and Vehicle
Services

Emergency
Communication
Networks

Homeland
Security and
Emergency
Management

Minnesota
State Patrol

Office of
Communications

Office of
Justice Programs

Office of
Pipeline Safety

Office of
Traffic Safety

State Fire
Marshal

- Returning the fire safety surcharge to 0.65% to support firefighters and fire safety needs across Minnesota is critical for Minnesotans as fire deaths continue to climb.
- The federal funding gap for VOCA would be devastating to Minnesota non-profits dedicated to working with crime victims throughout the state. I am grateful you are helping to fill this gap with state funding.
- Funding for additional OJP staffing is critical to their ability to meet the needs of Minnesotans, whether through grant funding, crime victim assistance, data, and analysis, or education and training. Thank you for the recognition of the critical work this division does.
- Thank you for funding the request for Domestic and Sexual Violence Housing. Traditional housing programs do not have advocacy training or dedicated crime victim services. Some regions of the state do not have domestic and sexual violence-specific assessments, and many have waiting lists. In addition, this funding will help increase safe housing options for individuals fleeing abusive situations.
- It is exciting to establish a first in the nation Missing and Murdered African American Women and girls (MMAAW) office. This funding includes a Director, a Systems Coordinator, a Victims Specialist, a Training Coordinator, a Research Analyst, and Grants Manager/Administrative Specialist. In addition, funds will be used for training development, statewide training for specific professions, research and report writing on the issues and systems perpetuating MMAAW, and for grants to organizations led by and serving Black women and girls to support the safety and success of Black women and girls.
- Minnesota is a leader in the 911 space. Updating our 403 statutes to ensure we are ready for the Next Generation of 911 will help ensure we continue to be. DPS is still working with some stakeholders to tweak the language but believes the update and \$7 million in funding for local Public Safety Answering Points will help keep Minnesotans safe now and into the future.
- Expanding the line of duty death benefit to include cancer-related deaths for firefighters and PTSD-related suicide deaths for all first responders is the least we can do for public servants who risk their lives.
- The expansion and funding for the soft body armor program will help DPS keep peace officers, firefighters, and emergency medical services professionals safer in Minnesota. DPS currently receives more requests for reimbursements than the accounts can support.
- There is a continuous need for investments in the community throughout the State to address and prevent crime. As we have testified, requests for these funds are double or triple the amount available. The House Public Safety Budget Proposal invests an incredible \$100M one-time appropriation for Community Crime and Violence Prevention Grants. However, this is a one-time appropriation, and we know these needs throughout Minnesota will continue.

This bill also partially funds or funds in different ways multiple priorities of the administration's budget request. Specifically:

- The Walz -Flanagan administration and DPS strongly support criminal background checks and creating extreme risk protection orders related to firearms. We believe DPS could also continue to make Minnesota safer with funding to continue our firearm safety campaign.
- The BCA's Violent Reduction Strategy Initiative can be partially funded for a short duration under the funding mechanism provided in the special revenue account. However, ongoing funding is necessary to meet the needs of Minnesota.
- The BCA has assigned more than 10% of its agents to violent crime reduction strategies in Minneapolis and the greater Twin Cities Area since April of 2022. During this time, the BCA, working with local and federal partners, has opened 187 cases, seized 424 firearms, seized 131,122 fentanyl pills, 10 kilograms of heroin, 9,979 grams of powder fentanyl, 10.5 kilograms of cocaine, and 99 pounds of methamphetamine. The BCA has arrested over 800 people during this time who are wanted for violent crimes such as shootings, homicides, and weapons trafficking. Without this ongoing funding, this work will need to stop.
- The analytical component of this ask is an ongoing need for Minnesota. Just last week the Anti-Defamation League announced an all-time high for antisemitic incidents across our country over the last year. We have seen numerous threats to our schools and doxing incidents claiming school shootings were occurring. We have seen a rise in hate-related incidents in our communities of color and LGBTQ+ communities. These analytical resources are a critical ongoing resources to identify these trends, analyze who are the perpetrators, share information, and prevent attacks from occurring.
- We are thankful for the partial investment in the BCA's critical cybersecurity and system's needs. The BCA's Cybersecurity and IT Infrastructure funding addresses critical cybersecurity threats and vulnerabilities to BCA systems, while also meeting FBI requirements and upgrading essential IT infrastructure and systems. Security threats from hackers and malware attacks continue to grow exponentially. Not making these basic investments will put sensitive criminal justice data on individuals at risk, and the BCA will continue to fall behind in ensuring the security of the data. The BCA has more than 30 different systems that provide this sensitive data. BCA must upgrade the eCharging system, the audit trail system and other basic technical infrastructure in order to maintain the security and reliability of the systems and data. The current systems and infrastructure are not sustainable as is and need to be replaced.
- The current bill also does not include the additional funding requested for the 4 state bomb squads. The bomb squads are local teams that work to help keep everyone in the State safe and should be reimbursed by the State Fire Marshal for their work.
- Thank you for the incredible investment in youth funding made in this bill, such as the additional funds for the critical work of the YIP program and establishing an ongoing Dual Status Youth Grant program. However, there remains a need, as identified by justice-involved youth throughout the state, for additional investments in community-based programming, mental and chemical health programming, and anti-gang programming as well as additional funding for additional delinquency prevention programming throughout the state. The Governor's budget also requests additional resources for the Youth Justice Office for a staff person to track and analyze trends related to youth justice issues and reduce ethnic and racial disparities in the juvenile justice system.

- I am grateful for the recognition in this bill of finding additional resources to support the mental health and wellness of our emergency and first responders. While your investments are historic, I do believe establishing an office at DPS to uplift and coordinate this work is necessary. I look forward to continued conversations with you about ways to accomplish both of our objectives.
- I understand the committee can only work within its budget target, but I do want to call out multiple critical investments that were not included in HF2890.
- HSEM is understaffed to meet the needs of local entities and federal requirements. Funding is needed for the staff required to fill those gaps in service and the additional unfunded federal mandates in the National Qualification System.
- The Walz-Flanagan administration recognizes that human trafficking (both sex and labor) is a significant issue affecting children, youth, and adults. Due to the state's efforts to strengthen its human trafficking laws, more is known about the extent of human trafficking in Minnesota. Currently, there are not enough grant funds to fund the Minnesota Human Trafficking Investigator Task Force, which is the only state-wide task force, adequately to meet the needs and demands placed on the MNHITF while ensuring adequate funding for local task forces. Direct funding to this task force while maintaining the grant funding at OJP would create capacity for a coordinated statewide approach that would best address human trafficking and allow the task force to not focus only on sex trafficking, but also address labor trafficking. Funding this task force also frees up additional time for agents in the BCA Predatory Crimes Section which investigates child sexual abuse material cases going from around 3000 tips of suspected material in 2019 to nearly 7500 in 2022. In addition, having the ability for the Anti-Trafficking Coordinator to serve alongside the BCA Task Force enhances training and outreach opportunities.
- The Walz-Flanagan public safety budget includes a critical investment to help decrease forensic evidence examination turnaround times for violent crimes. The surge in violent crime in Minnesota has had significant impacts on the turnaround times for all forensic evidence. This said, we agree that existing turnaround times are unacceptable, which is why we propose funding to establish a goal of a 30-day turnaround time for all forensic examinations. This approach will allow the BCA to reduce turnaround times to acceptable levels for all forms of violent crime. However, the funding provided in HF2890, along with the accompanying policy language, only covers sexual assault examination kits and would exclude other violent crimes like homicides and non-fatal shootings. We are concerned this approach will impact other violent crime turnaround times. For example, in the last 2 years, we've seen 37 homicides and 1,025 aggravated assaults with a firearm involving juveniles. This is why the approach in the Governor and Lt. Governor's budget covers all forms of violent crime. Moving forward, we are committed to continued conversations with you, legislative leaders, and survivors to find a solution that will reduce turnaround times for violent crime and improve transparency and outcomes throughout the process.
- It is the Bureau of Criminal Apprehension's goal to meet and exceed expectations for law enforcement agencies throughout the United States while increasing transparency and building community relationships. Funding for CALEA Accreditation will aid in these goals while also providing for additional accountability and auditing as well as a resource for advice and guidance.

- The additional, ongoing funding requested for the Minnesota Board of Firefighter Training and Education is to assist in meeting the \$9,000,000 million worth of annual reimbursement requests that cannot be met for the initial and ongoing training requirements for every fire department in Minnesota. This funding would take some of the burden off the local municipalities to ensure that their firefighters are trained and prepared to keep their communities safe.
- The Alcohol and Gambling Enforcement (AGE) division is statutorily responsible for completing criminal history background checks for various applicants, employees, licensees, and vendors at the Minnesota Lottery, Minnesota Gambling Control Board, the Minnesota Racing Commission, and twenty Indian gaming casino properties pursuant to the Class III casino gaming Tribal-State Compacts. The criminal history background checks are completed using protected data from the Criminal Justice Information Services (CJIS) network. AGE recently submitted to a CJIS audit and was informed that its network is not compliant with CJIS requirements. AGE must maintain CJIS compliance to continue processing criminal history background checks and needs the \$600,000 FY24 and \$100,000 ongoing in order to do so.
- The Missing and Murdered Indigenous Relatives (MMIR) Office has identified a need for additional staff and funding to establish a MMIR Advisory Board to meet the statutory obligations found in MN Statute 299A.85. This investment would fund a case review coordinator to lead the office's case review process as well as facilitate case reviews for concerned families when appropriate. The MMIR Office requests a MMIR victim specialist to work with impacted families and victims who reach out with concerns about their loved ones and their cases. Since the establishment of the MMIR Office, the need to provide guidance and support to families and victims most impacted by the epidemic of Missing and Murdered Indigenous Relatives is critical. We appreciate the creation of the MMIR fund but want to emphasize the importance of supporting victims and their families throughout Minnesota while working on the directives set out in the authorizing language.
- The House Public Safety Budget Proposal helps Minnesota maintain crime victim services throughout Minnesota as federal funding decreases, as well as make critical investments to providing emergency housing and safe, sustainable transitional housing for crime victims throughout Minnesota. However, the bill does not provide additional critical investments to the growing needs of providers throughout the state, such as additional emergency direct funding through Cornerstone or needed family law services in addition to other services as testified to this session. OJP strives to provide stable ongoing crime victim services throughout Minnesota and relying on one-time funding through the new Community Crime and Violence Prevention Account may limit that ability.
- In addition to ensuring first responder wellness, it is critical to support impacted families and communities after an event as well. The MN Heals proposal provides support and resources for communities after an impactful incident, such as mass shootings or natural disasters, as well as impacted families to promote healthy healing.
- DPS has heard from community members, stakeholders, and law enforcement members about the importance of all peace officers having a body-worn cameras. It is not common for everyone involved to be looking for the same solution in the public safety space but on this, everyone agrees. I strongly believe that the state can help make body-worn cameras a reality in every community.

March 28, 2023

I am confident we can continue to work together to find a resolution to these issues. The Department of Public Safety works to serve all communities to build a safer Minnesota. Thank you for making the investments to move this mission forward.

Sincerely,

A handwritten signature in black ink that reads "Bob Jacobson". The signature is written in a cursive style with a large, stylized "B" and "J".

Bob Jacobson
Commissioner Department of Public Safety